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Name (Print/Type)

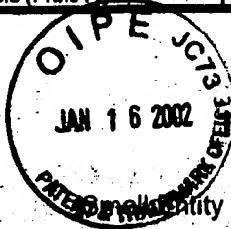
Kimberly W. Zuehlke

Signature

Kimberly W. Zuehlke

Date

11/30/99



TRANSMITTAL

☐

Small Entity

☒

Large Entity

Application Number

09/330,903

Confirmation Number

To Be Assigned

Filing Date

June 11, 1999

First Named Inventor

Igor Gonda et al.

Examiner

R. Schnizer

Group Art

1632

Attorney Docket No.

AERX061

ENCLOSED:

☒ Amendment Under Rule

☒

37 CFR §

1.111

☒

Pages

9

Claims

No. of claims as
filed or after
amendment

Most claims
previously paid
for

Extra Claims

Rate

Totals

Total

15

36

0

\$

-

Independent

1

14

0

\$

-

Multiple

Total Extra Claim Fees

\$

-

☒

Applicants Petition for an
Extension of time from

10-24-2001

to

12-24-2001

A month extension was previously filed
and paid for thereby reducing the basic
fee

Fee

\$ 400.00

☐

Response to File Missing Parts (with copy of formalities letter)

☐

Filing Fee

☐

Executed Declaration

Pages

☐

Other

Fee

Surcharge Fee

Fee

Fee

Fee

Fee

Subtotal

\$ -

☐

Information Disclosure Statement

☐

PTO Form 1449

Pages

☐

Copies of Cited References

☐

Other

Fee

Subtotal

\$ -

☐

Response to Notice to Comply (with copy of Notice to Comply)

☐

Sequence Listing Certification

☐

Paper Copy of Sequence Listing

Pages

☐

Diskette in computer-readable format

☐

Other

Fee

BEST AVAILABLE COPY

BEST AVAILABLE COPY

<input type="checkbox"/> Terminal Disclaimer		Fee
<input type="checkbox"/> Appeal to Board of Appeals and Appeal Communication to Group		
<input type="checkbox"/> Notice of Appeal	Pages _____	Fee _____
<input type="checkbox"/> Appeal Brief in Triplicate	Pages _____	Fee _____
<input type="checkbox"/> Reply Brief	Pages _____	Fee \$ -
		Subtotal \$ -
<input type="checkbox"/> Other Enclosures and/or Fees _____		Fee _____
<input type="checkbox"/> Change of Correspondence Address		
<input checked="" type="checkbox"/> Return Receipt Postcard		TOTAL FEES \$ 400.00
<p>The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this transmittal is enclosed.</p>		
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED		
Name (Print/Type)	Karl Bozicevic	Registration No. 28,807
Signature	<i>[Handwritten Signature]</i>	Date 30/NOV/2001
Firm Name	Bozicevic, Field & Francis LLP	Address 200 Middlefield Road, Suite 200
City	Menlo Park	State California zip 94025
Telephone - Direct Dial	650-327-3400	Facsimile 650-327-3231

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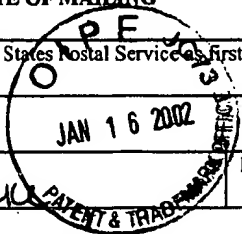
FEB 04 2002

TECH CENTER 1600/2900

Application No. 09/330,903 Attorney Docket No. AERX061 Page 2 of 2

#18/K.T.
2/7

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Typed or Printed Name		Kimberly W. Zuehlke	
Signature		Date	
Kimberly W. Zuehlke		11/30/01	



AMENDMENT UNDER 37 C.F.R. §1.111	
Address to: Assistant Commissioner for Patents Washington, D.C. 20231	
Attorney Docket Confirmation No.	AERX061
First Named Inventor	Igor Gonda et al.
Application Number	09/330,903
Filing Date	June 11, 1999
Group Art Unit	1632
Examiner Name	R. Schnizer
Title	METHODS OF DELIVERING AEROSOLIZED POLYNUCLEOTIDES TO THE RESPIRATORY TRACT

RECEIVED
FEB 04 2002
TECH CENTER
1600/2900

Sir:

This amendment is responsive to the Office Action dated July 24, 2001 for which a three-month period for response was given making this response due on or before October 24, 2001. A Petition and Petition fee for a two-month extension of time is attached hereto making this response timely filed on or before December 24, 2001.

In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

AMENDMENTS

IN THE CLAIMS

Please cancel claims 21-56 and add the following new claims 57-71. Please note that the new claims 57-71 are also included on the attached "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

57. (New) A method of targeting an area of a patient's respiratory tract, comprising:
delivering an aerosol to a patient while adjusting both particle size in the aerosol and volume inhaled;
wherein particle size is adjusted to an aerodynamic diameter related to a diameter of a targeted area of the respiratory tract within a range selected from the group consisting of:
- (a) 1-3 μm to target alveoli of the respiratory tract;
 - (b) 4-6 μm to target central airways of the respiratory tract; and

DB
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